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LETTER DATED 28 DECEMBER 1995 FROM THE PERMANENT REPRESENTATIVE OF ANGOLA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As you are aware, an aircraft belonging to a private Zairian company and flying out of Kinshasa, the capital of the Republic of Zaire, crashed recently in Angolan territory. The accident led to the death of all passengers, of whom 139 were Angolan citizens.

The aircraft, chartered by the National Union for the Total Independence of Angola (UNITA), penetrated and overflew national airspace, and landed clandestinely in Angolan territory in total disrespect for international norms related to civil aviation and for the national laws of the Republic of Angola.

The Government and UNITA had agreed that, for humanitarian purposes concerning the implementation of the Lusaka Protocol (S/1994/1441, annex), the Government would continue to allow foreign aircraft into areas under its control, as long as those aircraft were duly authorized by the Government and operated with the knowledge of the United Nations Angola Verification Mission III (UNAVEM III).

On the other hand, the airplane that crashed took off from an official airport in a neighbouring country, Zaire, with which the Republic of Angola maintains diplomatic relations. That same country has obligations regarding the Angolan peace process that derive from Security Council resolution 864 (1993).

As a result the peace process has been gravely harmed by UNITA and the Government of Zaire. UNITA once again violated the Lusaka Protocol by demonstrating that it continues to receive lethal materials and is engaged in training personnel, placing seriously in danger the entire peace process.

The Zairian Government, on the other hand, has shown its systematic interference in the internal affairs of Angola, encouraging and arming and so permitting the destabilization of the Angolan peace process.

Therefore the Government of Zaire has demonstrated in an unequivocal manner its hostility towards Angola and its people. Further, it apparently feels no obligation to fulfil the requirements of the international community concerning peace in Angola as contained in Security Council resolution 864 (1993).

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We would like to inform the Council that the Government of the Republic of Angola has already presented to UNAVEM III a complaint related to this event, and demanded that a commission of inquiry be created, comprised of United Nations and peace process observers, to investigate the case. This was done in view of the gravity of the incident relative to progress in the implementation of the peace process. The Angolan Government has also delivered a protest to the Government of Zaire, demanding an explanation of the facts.

Given the naked violation of the pertinent Security Council resolutions, particularly resolution 864 (1993), the Government of Angola would like to ask the condemnation of UNITA for this violation of the Acordos de Paz and recommend the calling of an immediate meeting of the Sanctions Committee set up by this body to analyse the involvement of Zaire in the internal affairs of Angola.

As already stated on several occasions, the Government of Angola will spare no efforts to fulfil its obligations under the Acordos de Paz, the Lusaka Protocol and all the pertinent resolutions of the Security Council regarding the peace process in Angola.

Finally, the Angolan Government profoundly regrets this incident and has presented to the families its sincerest condolences.

The Permanent Mission of the Republic of Angola to the United Nations requests that the present letter be circulated as a document of the Security Council.

(Signed) Afonso VAN-DUNEM "MBINDA"
Permanent Representative